

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NICHOLAS S. ROY,

Plaintiff,

v.

VICTORIA BARSHAW, *et al.*,

Defendants.

Case No. C06-5296FDB

ORDER

The matter comes before the court on plaintiff's motion to continue discovery regarding Defendant Barshaw (Doc. 36), plaintiff's motion to continue discovery to depose a non-party (Doc. 42), and plaintiff's motion requesting the court to issue a subpoena duces tecum on Defendant Barshaw and Ms. Linda Hough (Doc. 45). After considering these motions, opposition to the motions, and the balance of the record, the court finds and orders as follows:

(1) Each of the three motions noted above are related to discovery. The Complaint in this matter was filed or submitted to the court on May 30, 2006, and the original discovery deadline was March 1, 2007. On a motion presented by Plaintiff on or about February 7, 2007, the court extended the discovery period sixty-days to May 1, 2007. Plaintiff has had sufficient time to conduct necessary discovery to properly prosecute this matter.

The court notes that Defendant Barshaw has not yet been served and service has been ordered on the chance that Ms. Barshaw is able to receive the documents and respond accordingly. If the court

1 receive's a waiver of service, the court will revisit the issue of allowing further time to conduct discovery
2 in this matter. At this point, no further discovery shall be requested by either party. Plaintiff's motions
3 (Docs. 36, 42, & 45) are **DENIED**. The court notes that the above ruling makes moot Defendants'
4 pending motion for a protective order (Doc. 47), and thus it is therefore **DENIED**, as being moot.

5 (2) Plaintiff has also filed a motion (Doc. 49) to extend the time to file his opposition brief to
6 Defendants' pending motion for summary judgment (Doc. 44). In order to provide Plaintiff a full
7 opportunity to respond to the motion, the court **GRANTS** plaintiff's request. The motion for summary
8 judgment (Doc. 44) will be placed on the court's August 3, 2007 motion calendar. Accordingly, Plaintiff
9 must file his opposition to the motion by no later than Monday, July 30, 2007.

10 DATED this 25th day of May, 2007.

11
12 /s/ J. Kelley Arnold

13 J. Kelley Arnold
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28